

FISHMAN MCINTYRE LEVINE SAMANSKY P.C.

STANLEY P. FISHMAN*
CHRISTOPHER E. MCINTYRE > +
MITCHELL B. LEVINE*
SCOTT D. SAMANSKY**
CASSANDRA A. WILLOCK*
SCOTT A. GROSSMAN <
PETER J. MURANO, III*
KEVIN J. DONNELLY*
ANN MARIE F. KANE*
MARK N. KEDDIS*

DONALD M. GARSON > Of Counsel

NEW YORK OFFICE
521 FIFTH AVENUE, 17th FL.
New York, NY 10175
Tel (212) 461-7190
Fax (973) 560-0060

120 EAGLE ROCK AVENUE
EAST HANOVER, NJ 07936
Telephone (973) 560-9000
Fax (973) 560-0060

> NJ BAR
< NY BAR
^ NJ, NY & CT BARS
**NJ & DC BARS
* NJ & NY BARS

March 19, 2021

+ Certified by the Supreme Court
of NJ as a Civil Trial Attorney

www.fishmanmcintyre.com

Via ECF

Colleen McMahon, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

RE: Rodriguez v. Target Corporation
SDNY Case No.: 1:20-cv-05471
Our File No.: TARN-156-ML

Dear Judge McMahon:

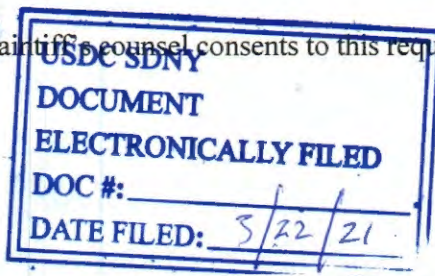
This firm represents the defendant, Target Corporation, in connection with the above. By this letter, the parties respectfully request an adjournment of the original discovery deadlines as set forth in Your Honor's Civil Case Management Plan of November 30, 2020 (Docket Entry #10).

The parties have yet to complete depositions. Plaintiff's deposition commenced, and indeed, several hours were spent in an attempt to complete the same. However, we were unable to for multiple reasons. First, an interpreter was necessary. Second, the deposition being conducted virtually, and many "technical" difficulties ensued, including one or another of the participants being "dropped" from the proceedings at various times. The deposition is scheduled to recommence, and hopefully complete, on March 24, 2021. Because we have not completed plaintiff's deposition, a deposition of Target has yet to take place.

Prior to plaintiff's deposition, same was delayed by great difficulties by our office in securing plaintiff's medical records. Some facilities have shut due to Covid, and others have made the reproduction of medical records not a priority.

In light of the foregoing, the parties respectfully request a 60 day extension of all existing discovery deadlines.

Plaintiff's counsel consents to this request. In addition, this is the first request for any extension.



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROGER RODRIGUEZ,

Plaintiff,

-against-

TARGET CORPORATION,

Defendant.
-----X

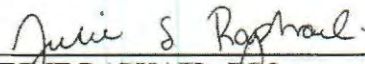
Civil Case No.: 1:20-cv-5471

**AMENDED CIVL CASE
MANAGEMENT PLAN**


Upon motion of Defendant, Target Corporation, for an extension of certain discovery deadlines as provided for in this Court's Civil Case Management Plan filed November 30, 2020, said Civil Case Management Plan is hereby amended and ordered as follows:

1. Depositions shall be completed by April 30, 2021;
2. Plaintiff's expert disclosure shall be provided by May 4, 2021;
3. Defendant's expert disclosure shall be provided by June 4, 2021;
4. All discovery, including expert discovery, must be completed on or before July 12, 2021;
5. A joint pre-trial order in the form prescribed in Judge McMahon's individual rules, together with all other pre-trial submissions required by those rules (not in limine motions) shall be submitted on or before August 12, 2021;
6. This scheduling order may be altered or amended only on a showing of good cause that is not foreseeable at the time this order is entered.

Dated: New York, New York
March 17, 2021



JULIE RAPHAEL, ESQ.
SOBO & SOBO L.L.P.
Attorneys for Plaintiff
One Dolson Avenue
Middletown, New York 10940



MITCHELL B. LEVINE, ESQ.
**FISHMAN McINTYRE LEVINE
SAMANSKY, P.C.**
Attorneys for Defendant
TARGET CORPORATION
521 Fifth Avenue, 17th Floor
New York, New York 10175
212-461-7190
Our File No.: TARN-156-ML

SO ORDERED:

COLLEEN McMahon, U.S.D.J.